

**IDAHO REAL ESTATE APPRAISER BOARD**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 6/18/2018**

**BOARD MEMBERS PRESENT:** Paul J Morgan - Chair  
H Scott Calhoun  
B Jane McClaran  
Eric J Brinton  
Douglas D Vollmer

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Dawn Hall, Deputy Bureau Chief  
Julie Eavenson, Admin. Support Manager  
Lori Peel, Investigative Unit Manager  
Roger Hales, Legal Counsel  
Pam Rebolo, Technical Records Specialist I  
Jennifer Carr, Technical Records Specialist I

The meeting was called to order at 8:30 AM MDT by Paul J Morgan.

**APPROVAL OF MINUTES**

Ms. McClaran made a motion to approve the minutes of 4/16/18 as corrected. It was seconded by Mr. Vollmer. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory gave the legislative report. The deadline to submit legislative ideas to the Governor's Office is July 13, 2018 and the deadline to submit proposed law and rule changes to the Governor's Office is August 17, 2018 for the 2019 Legislative Session.

Ms. Cory reminded the Board that House Bill 623 was not heard in the Senate and will likely return next year in some form.

Ms. Cory reviewed with the Board the members of the Occupational Licensing and Certification Law Interim Committee that has been established to study occupational licensing. Ms. Cory also informed the Board that the committee will meet this Friday, and the National Conference of State Legislators (NCSL) will give a presentation during the meeting.

## **FINANCIAL REPORT**

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$613,938.24 as of 5/31/18.

## **INVESTIGATIVE REPORT**

Ms. Peel gave the investigative report, which is linked above.

## **FOR BOARD DETERMINATION**

Mr. Vollmer made a motion to approve the Bureau's recommendation and authorize closure in case numbers I-REA-2018-9, I-REA-2018-18 and I-REA-2018-19. It was seconded by Ms. McClaran. Motion carried.

Ms. Peel presented a Notice of Violation and Settlement Order RE: Continuing Education in case number REA-2018-4. Mr. Calhoun made a motion to accept the Notice of Violation and Settlement Order RE: Continuing Education in case number REA-2018-4 and have the Board Chair sign on behalf of the Board. It was seconded by Mr. Vollmer. Motion carried.

Ms. Peel presented a request from Cary Vogel to continue to supervise trainees as a result of Board action. Mr. Calhoun made a motion to have the Board send a letter stating that the Board does not have discretion in this matter. Rule 276.01.a.iv states that supervisors may not have been disciplined in the previous four years. The Rule does not allow the Board to waive the restriction if the violation was a continuing education violation. It was seconded by Mr. Brinton. Motion carried.

## **OPEN MEETING LAW**

Mr. Hales reviewed HB611 that made changes to the open meeting law regarding meeting notices and agendas. Changes effective July 1, 2018 included: notices and agendas must be posted online if the agency has an online presence; identification of all "action Items" must be noted on the agenda; and final action may not be taken on an agenda item added after the start of the meeting unless an emergency is declared.

## **OLD BUSINESS**

The Board reviewed the To Do List and no action was taken.

## **PROPOSED FEE DECREASE**

Mr. Hales reviewed with the Board the draft of the proposed fee decrease. Ms. McClaran made a motion to approve the proposed draft with changes as

discussed; to submit to the Division of Financial Management; and to have Mr. Calhoun approve on behalf of the Board. It was seconded by Mr. Vollmer. Motion carried.

## **EXECUTIVE ORDER**

The Board reviewed the draft of the Executive Order response. Ms. McClaran made a motion to approve the draft pending only final edits and approval by the Board Chair. Once approved, the final version will be submitted to the Lt. Governor's Office. It was seconded by Mr. Vollmer. Motion carried.

## **NEW BUSINESS**

### **AARO SPRING CONFERENCE UPDATE**

Ms. McClaran gave an update from the Association of Appraiser Regulatory Officials (AARO) spring conference she attended in April.

### **APPRAISAL SUBCOMMITTEE (ASC) REGISTRY FEE TRANSMISSION PROCESS**

The Board discussed the National Appraisal Management Company (AMC) Registry fee. The Board received notice from the Appraisal Subcommittee (ASC) that remittance of the registry fee is not required to maintain a federally compliant AMC program until compliance reviews conducted after June 4, 2020. The Board discussed postponing the collection of the registry fees until it is federally required to maintain a compliant AMC program. The Board then discussed that some companies have already paid the registry fees. Mr. Calhoun made a motion for the Bureau to draft a refund letter to those who have already paid the fee and process refund checks; to modify the online renewal system and renewal application to remove collection of the registry fee; and to have the forms and letter approved by the Board Chair. It was seconded by Mr. Brinton. Motion carried.

## **CORRESPONDENCE**

The Board reviewed correspondence from Mark Schiffman regarding the AMC National Registry fee. Mr. Calhoun made a motion to direct the Bureau to draft a letter to Mr. Schiffman regarding the refund letter, and to have it approved by the Board Chair. It was seconded by Mr. Brinton. Motion carried.

The Board reviewed correspondence from Vicki Ledbetter Metcalf of the Appraisal Subcommittee regarding the 2019 ASC Compliance Review, which is scheduled for April 15-17, 2019.

The Board reviewed correspondence which included an attachment of the ASC 2017 Annual Report from Lori Schuster.

## **EXECUTIVE SESSION**

Mr. Calhoun made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the executive session was to consider license application materials. It was seconded by Mr. Vollmer. The vote was: Mr. Calhoun, aye; Ms. McClaran, aye; Mr. Vollmer, aye; Mr. Brinton, aye; and Mr. Morgan, aye. Motion carried.

Mr. Calhoun made a motion to come out of executive session. It was seconded by Mr. Brinton. The vote was: Mr. Calhoun, aye; Ms. McClaran, aye; Mr. Vollmer, aye; Mr. Brinton, aye; and Mr. Morgan, aye. Motion carried.

## **CE COURSES**

Mr. Calhoun made a motion to approve the course "Evaluation and Commercial Leases" for continuing education. It was seconded by Mr. Vollmer. Motion carried.

## **APPLICATIONS**

Mr. Brinton made a motion to approve the following for the CRA exam:

Joshua Barklay  
Tina Lynch

It was seconded by Mr. Calhoun. Motion carried.

Mr. Calhoun made a motion to approve applicant 901159675 pending receipt of a satisfactory background check. It was seconded by Ms. McClaran. Motion carried.

Mr. Calhoun made a motion to approve the following for a temporary permit:

John Parsons          TCGA 4728

It was seconded by Ms. McClaran. Motion carried.

## **BOARD MEMBER SERVICE RECOGNITION**

The Board recognized the retirement of Mr. Vollmer from the Board. Mr. Morgan presented him with a plaque and the Board thanked him for his six years of service.

**NEXT MEETING** was scheduled for August 20, 2018 at 8:30 AM MDT.

## **ADJOURNMENT**

Mr. Vollmer made a motion to adjourn the meeting at 12:03 PM MDT.

Ms. Cory presented the Board with a recent bulletin from the Appraisal Subcommittee (ASC) that stated that Appraisal Management Company (AMC) registry fees may be transmitted as early as the AMC Registry is online beginning July 16, 2018, but that it is not required until compliance reviews conducted after June 4, 2020. The Board attempted to contact the legal counsel and the Executive Director of the Appraisal Subcommittee to seek clarification of the requirements. Mr. Calhoun will follow up with the ASC and communicate his findings to Mr. Morgan and they will decide if a conference call needs to be scheduled to revise any motions previously made regarding the AMC Registry fee.

After the presentation, the motion was seconded by Mr. Calhoun. Motion carried.

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Paul J Morgan, Chair

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H Scott Calhoun

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B Jane McClaran

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Eric J Brinton

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Douglas D Vollmer

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Tana Cory, Bureau Chief